

It is so ordered.

s/James G. Carr  
Sr. United States District Judge

Rover Pipeline LLC,

*Plaintiff,*

v.

5.9754 Acres of Land, More or Less, in  
Defiance County, Ohio, et al.,

*Defendants.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

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Case No. 3:17-CV-00225

Judge James G. Carr

Magistrate Judge James R. Knepp, II

**STIPULATION FOR VOLUNTARY DISMISSAL OF DEFENDANT OHIO TURNPIKE  
AND INFRASTRUCTURE COMMISSION FORMERLY KNOWN AS OHIO  
TURNPIKE COMMISSION**

NOW COME Plaintiff Rover Pipeline LLC (“Rover”) and Defendant Ohio Turnpike and Infrastructure Commission formerly known as Ohio Turnpike Commission, (“Stipulating Defendants”) (collectively, the “Parties”), pursuant to Fed. R. Civ. P. 41(A)(1), and enter into the following Stipulation:

1. The Parties stipulate and agree to the terms and conditions contained in that certain permit to Rover Pipeline, LLC for Installation of a Natural Gas Transmission Line Within the Turnpike Right of Way in Fulton County, Ohio at Milepost 29.2 attached as Exhibit “A” (“Permit”). The Parties are in the process of executing and exchanging the signed Permit.

2. The Parties further stipulate that any interim or final orders or judgments issued by this Court or any appellate court in this civil action shall not be construed by any party as invalidating and/or modifying the terms of or rights of either Party under the Permit.

3. The Parties further agree that their respective rights, covenants and interests in the property in connection with this civil action are detailed in the Permit. Subject to the terms of the Permit, Stipulating Defendants do not object to Rover’s right to enter the property immediately for

tree felling and construction activities as approved by the Federal Energy Regulatory Commission (“FERC”).

4. Rover hereby dismisses all claims currently pending against Stipulating Defendants in this action without prejudice.

5. Notwithstanding any dismissal of the Stipulating Defendants or the action in general, the Parties shall continue to remain subject to and bound by this Stipulation.

Respectfully submitted,

/s/Daniel L. Bey

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/s/Jennifer L. Stueber, per email authority

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was electronically filed with the U.S. District Court, Northern District of Ohio, on March 8, 2017, and served upon Plaintiff’s counsel and all other parties who have appeared in this matter and registered with ECF via the court’s electronic filing system.

/s/Daniel L. Bey

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